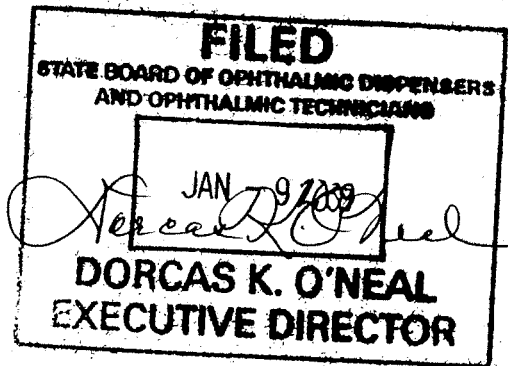


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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF OPHTHALMIC
DISPENSERS AND OPHTHALMIC
TECHNICIANS

IN THE MATTER OF THE LICENSE OF:

: ADMINISTRATIVE ACTION

MARC ALAN EICHLER

License No. 31TD0204400

: CONSENT ORDER

TO PRACTICE OPHTHALMIC
DISPENSING IN THE STATE OF
NEW JERSEY

:
:

This matter was opened to the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians (the "Board") upon the request of Mark Alan Eichler (respondent) for reinstatement of his license to practice ophthalmic dispensing. Respondent's license expired on December 31, 2007 and respondent failed to renew his license. In respondent's reinstatement application, he advised the Board that he engaged in recent

substance abuse and that he was accepted into the Professional Assistance Program of New Jersey (PAP) on August 1, 2008.

On December 10, 2008 respondent appeared with counsel, Burton L. Eichler, Esq., before the Board to discuss his application for reinstatement of his license to practice ophthalmic dispensing and his compliance with the recommendations of the PAP. Respondent testified that initially he had not fully complied with the PAP monitoring plan but that presently he is complying with the recommendations of the PAP and will continue to do so.

The Board having considered respondent's testimony and the recommendations of the PAP in this case, as well as all relevant documents submitted, and finding that the within Order is adequately protective of the public health, safety and welfare,

IT IS ON THIS 9th DAY OF Jan, 2009
2008

HEREBY ORDERED AND AGREED THAT:

1. Respondent is granted a license to practice ophthalmic dispensing pursuant to the conditions stated herein.

2. Respondent shall maintain absolute abstinence from all psychoactive substances, including alcohol, unless prescribed by a treating physician, for a documented medical condition with written notification by the treating physician to the Executive Medical Director of the PAP of the diagnosis and medication prescribed. A family member shall not serve as a treating physician for respondent unless the family member physician has previously been

approved in writing as a treating physician by the PAP for the specific documented medical condition.

3. Respondent shall continue individual psychotherapy with his therapist or any successor approved by the Executive Medical Director of the PAP at a frequency to be determined by his therapist until such time as the therapist and the Executive Medical Director of the PAP agree that such therapy is no longer required. In the event it is agreed that continued therapy is no longer required, the therapist shall submit a report to the Board stating the basis for ending therapy.

4. Respondent shall submit to twice-weekly random urine monitoring for the first six (6) months of his return to practice, then on a random weekly basis for the next year, and thereafter on a schedule to be determined by the Executive Medical Director of the PAP with notification to be sent to the Executive Director of the State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians. The initial screen will utilize the EMIT technique and all confirming tests and/or secondary tests will be performed by gas chromatographing/mass spectrometry. The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation thereof.

5. Respondent shall attend a support group of Alcoholics Anonymous at a minimum of three (3) times per week. Respondent shall provide weekly written documentation to the Executive Medical

Director of the PAP demonstrating that he attended a minimum of three (3) meetings of Alcoholics Anonymous per week.

6. Respondent shall participate in monthly face-to-face visits with the clinical representative of the PAP during his first six (6) months of licensure, and thereafter on a schedule to be determined by the Executive Medical Director of the PAP.

7. Respondent shall ensure that the Board receives quarterly reports from the PAP outlining respondent's participation in his recovery program with immediate notification of any evidence of relapse or non-compliance with any of the requirements set forth by the PAP.

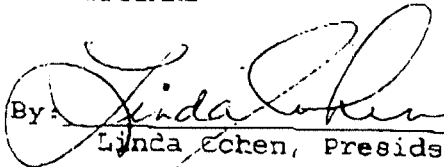
8. Respondent shall appear before the Board or a Committee of the Board prior to the removal of any of the restrictions set forth in the within Consent Order, if so requested by the Board, at which time the burden shall be on respondent to demonstrate compliance with the within Order.

9. Respondent shall obey all the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of ophthalmic dispensing in this State of any other State.

10. During the first year of return to practice, respondent hereby consents to the entry of an Order of automatic suspension of license without notice, upon the Board's receipt of any information which the Board in its sole discretion deems reliable that respondent has failed to comply with paragraphs two (2)

through nine (9) of this Consent Order without the prior written consent of the Board. Respondent may petition the Board on five (5) days notice for a hearing limited to the sole issue of whether he deviated from the terms of the Consent Order. The hearing shall be conducted by the Committee or a subcommittee thereof within ten (10) business days of the request for a hearing.

NEW JERSEY STATE BOARD OF EXAMINERS OF
OPHTHALMIC DISPENSERS AND OPTHALMIC
TECHNICIANS

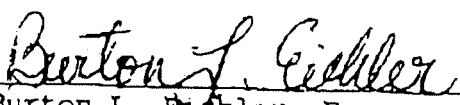
By: 
Linda Cohen, President

I have read and I understand
this Consent Order and agree to
be bound by its terms. I consent
to the entry of this Order.


Marc Alan Eichler


Date Dec. 22, 2008

Consent as to form and entry of this Order:


Burton L. Eichler, Esq.
Attorney for Marc Alan Eichler